



06-25-03

DAC #4

SUBMISSION OF PETITION FOR REVIVAL

Docket Number:

074451.P127D10

First named inventor: Edward L. Schwartz

Application No.: 09/800,530

Art Unit: 2621

Filed: March 6, 2001

Examiner: Tran, Phuoc

Title: Method and Apparatus for Performing Scalar Quantization with a Power of Two Step Size

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

6/23/03

Date

Signature

Telephone

Number: (408) 720-8300

Michael J. Mallie

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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36,591

Registration No.

This correspondence is being sent via express mail (Express Mail No. EV336584240US).

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OFFICE OF PETITIONS



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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number:

074451.P127D10

First named inventor: Edward L. Schwartz

Application No.: 09/800,530

Art Unit: 2621

Filed: March 6, 2001

Examiner: Unknown

Title: Memory and Apparatus for Performing Scalar Quantization with a Power of Two Step Size

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF
THIS APPLICATION UNDER 37 CFR 1.137(b)**

1. Petition fee

- ☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity – fee \$1,300.00 (37 CFR 1.17(m)).
- ☐ The Director is hereby authorized to charge the indicated fees and credit any overpayments to
Deposit Account No. 02-2666.
- ☒ Fee is enclosed.

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is December 11, 2001.

06/26/2003 AWONDAF1 00000053 09800530

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(Page 1 of 2)

SEND COMPLETED FORM TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/13/03

JUN 26 2003

OFFICE OF PETITIONS

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/28/03
Date

[Signature]
Signature

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Enclosures: ☒ Fee Payment

☐ Additional Sheets containing statements establishing unintentional delay

☒ Other: Submission of Petition for Revival

"Express Mail" mailing label number: EV336584240US

Date of Deposit: June 28, 2003

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

6-28-03
Date

[Signature]
Signature

Alice Tam
Typed or printed name of person signing certificate